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COMMITTEE MEETING

STATE OF CALIFORNIA

INTEGRATED WASTE MANAGEMENT BOARD

DIVERSION, PLANNING AND LOCAL ASSISTANCE COMMITTEE

JOE SERNA, JR., CALEPA BUILDING

1001 I STREET

2ND FLOOR

COASTAL HEARING ROOM

SACRAMENTO, CALIFORNIA

WENDESDAY, APRIL 9, 2003

9:30 A.M.

TIFFANY C. KRAFT, CSR, RPR CERTIFIED SHORTHAND REPORTER LICENSE NUMBER 12277

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## APPEARANCES

BOARD MEMBERS

Steven R. Jones, Chairperson

Jose Medina

Linda Moulton-Patterson

Cheryl Peace

STAFF

Mark Leary, Executive Director

Julie Nauman, Chief Deputy Director

Kathryn Tobias, Chief Counsel

Pat Schiavo, Deputy Director

Catherine Cardoza

Kathy Davis

Denise Hume

Marra Kakutani

Natalie Lee

Cara Morgan

Steve Sorelle

Carolyn Sullivan

Steve Uselton

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## APPEARANCES CONTINUED

ALSO PRESENT

Ruth Abby

Larry Burch

Mike Crump

Crystal Fennel

Francisco Gutterres

Patrick Hayes

Heidi Hopper

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1	PROCEEDINGS
2	DEPUTY DIRECTOR SCHIAVO: Good morning, and
3	welcome to the Wednesday the 9th meeting of the Diversion
4	and Planning and Local Assistance Committee.
5	Geannine, would you call the roll.
6	SECRETARY HARRIS: Medina?
7	Moulton-Patterson?
8	COMMITTEE MEMBER MOULTON-PATTERSON: Here.
9	SECRETARY HARRIS: Peace?
10	COMMITTEE MEMBER PEACE: Here.
11	SECRETARY HARRIS: Jones?
12	CHAIRPERSON JONES: Here.
13	Mr. Medina is going to be a few minutes late.
14	He's caught.
15	We're going to go ahead and start. There are
16	speaker slips in the back of the room. If you'd like to
17	fill them out and address the Board, bring them up to
18	Ms. Bakulich.
19	If you've got a self phone or pager, if you could
20	turn it on vibrate, we'd appreciate it.
21	I'm going read an announcement because this is
22	throughout the month of April we will be conducting safety
23	preparedness drills that will include evacuating this
24	room. This drill may occur during the meeting. In order
25	to prepare for an unexpected emergency, we do not know

1 what date or time the alarm will sound. There's two

- 2 exits.
- 3 I feel like a stewardess.
- 4 (Laughter)
- 5 CHAIRPERSON JONES: If the alarm sounds, evacuate
- 6 immediately. Take all your valuables with you. Don't use
- 7 the elevator.
- 8 If you've got a mobility concern that would
- 9 prevent you from using the stairways, please let the host
- 10 of the meeting know so that arrangements can be made to
- 11 have you wait safely in a protected area. You will be
- 12 directed to a safe stairwell vestibule, and an aide will
- 13 stay with you until we've heard an all-clear announcement.
- 14 Follow the meeting host down the stairways to the
- 15 relocation site. For us it's across the street over at
- 16 the Cesar Chavez Park. And the good news is we had one of
- 17 these alarms yesterday right in the middle of our Special
- 18 Waste Committee, so in all likelihood maybe we'll get away
- 19 without having one today.
- 20 Members, any ex partes?
- Ms. Peace.
- 22 COMMITTEE MEMBER PEACE: Just had a meet and
- 23 greet with George Eowan. Also I met with Mark Aprea on
- 24 C&D.
- 25 CHAIRPERSON JONES: Chair Moulton-Patterson.

- 1 COMMITTEE MEMBER MOULTON-PATTERSON: Just several
- 2 social -- I really don't think they need to be ex parte.
- 3 We discussed no issues at the trash bash.
- 4 CHAIRPERSON JONES: And I had a discussion with
- 5 Mark Aprea on C&D. I also was at the trash bash. Met a
- 6 lot of folks. Didn't really have any specific issues.
- 7 And I think that's it. Ms. --
- 8 COMMITTEE MEMBER PEACE: Can I go on record to
- 9 say I was at the trash bash also.
- 10 CHAIRPERSON JONES: Yes, she was.
- 11 COMMITTEE MEMBER PEACE: Didn't talk to anybody
- 12 about anything in particular, but I was there.
- 13 CHAIRPERSON JONES: All right. Mr. Schiavo.
- 14 DEPUTY DIRECTOR SCHIAVO: Pat Schiavo, Diversion
- 15 Planning and Local Assistance.
- We're going start this off a little bit
- 17 differently maybe. You know, essentially what we've seen
- 18 from our latest statistics, you're all aware now we're at
- 19 48 percent. And 48 percent is well above what anybody
- 20 ever thought we'd be at. We're essentially at 50. And
- 21 this couldn't have been done without the cooperation of
- 22 our staff, local jurisdictions and the waste industry and
- 23 all those associated. So, you know, just want to thank
- 24 everyone. It's a terrific job. So now where do we go in
- 25 the future?

- One of the things we've talked in the Strategic
- 2 Plan is zero waste and how to get there. So our next
- 3 achievement or next goal will be looking at ways to get
- 4 there.
- 5 And so we plan on next month bringing forward to
- 6 you a historical perspective of where we've been, all the
- 7 things we've accomplished in the past, how we got there,
- 8 and then some ideas and suggestions for where we want to
- 9 focus in the future to try to accomplish that goal of zero
- 10 waste, and some creative solution, perhaps.
- 11 So, anyway, just want to thank everybody, the
- 12 Board, for the direction and support they've given staff
- 13 to get there -- to get to the 48 percent. Local
- 14 jurisdictions, many took a risk in planning. The waste
- 15 industry put a lot of money in the infrastructure. We've
- 16 seen the benefits of that through the marketing studies
- 17 which we're trying to market. And especially those that
- 18 toiled endless hours to get through the process and put
- 19 together the binders that you see month after month. Even
- 20 with all that, we actually reduced the time.
- 21 You'll see next month we're going to have a lot
- 22 of that for you. We have reduced the time looking at the
- 23 biennial review from the prior go around. We're looking
- 24 at how to do it more in the future. So, anyway, again, I
- 25 just want to thank everybody for everything we've

- 1 accomplished.
- 2 CHAIRPERSON JONES: Thank you, Mr. Schiavo.
- 3 Any members?
- 4 COMMITTEE MEMBER MOULTON-PATTERSON: I would just
- 5 like to say -- I know we all feel it -- thank you and your
- 6 staff. You've done a fantastic job and I just thought we
- 7 ought to be telling that story everywhere. 48 percent is
- 8 terrific. We've come along ways, and I sure appreciate
- 9 all your efforts, and all my colleagues.
- 10 CHAIRPERSON JONES: Thanks, Madam Chair, and
- 11 thank you for your leadership, seriously.
- 12 I think this Board has held pretty firm on making
- 13 sure that programs -- that numbers were validated with
- 14 programs. We've taken on some big issues. We've tried to
- 15 clean up the base year stuff to make it more reflective of
- 16 what's really going on. We've taken a lot of hits for
- 17 that. The staff's done a great job. City and counties
- 18 have done an unbelievable job. They've got to a lot to be
- 19 proud of, and industries -- all the industries and the
- 20 ancillary industries that support it have done a great
- 21 job.
- 22 And I think it's important that we continue --
- 23 you know, we normally come into these meetings with 50 to
- 24 60 items. Today we're lucky. I think we only have 12 or
- 25 14. They're all important. But I think what your staff

- 1 pulled off last week with our Single Stream Workshop --
- 2 I've had more people comment on how valuable that was,
- 3 identifying the idea that single stream's going to work.
- 4 But we were able to have a discussion about where the
- 5 shortfalls are. Some of them are the mixture of material
- 6 that comes in. Some of them are the equipment that's
- 7 used. And there's a whole lot of serious things we've got
- 8 to stay on top. I think that's where we're going to have
- 9 value to cities and counties is to continue to have those
- 10 kinds of discussions on different items to make them aware
- 11 of what's going on in other parts of the state or other
- 12 parts of the United States.
- 13 I think our guy Jerry from Allied said he was
- 14 shocked that single stream was just starting in California
- 15 since it was everywhere in Florida and back in that area.
- So we've got a lot of work to do, but I
- 17 congratulate you for the great job.
- 18 So go ahead, Mr. Schiavo.
- 19 DEPUTY DIRECTOR SCHIAVO: We will start off with
- 20 Item Number 2, Committee Item B, and this is consideration
- 21 of the 1999-2000 biennial review findings for the City of
- 22 Portola, Plumas County. And Natalie Lee will present.
- MS. LEE: Good morning, Chairman Jones and
- 24 Committee members.
- 25 The City of Portola's diversion rate for 1999 is

- 1 46 percent, for 2000 is 44 percent. The city originally
- 2 submitted a 1999 generation study request with a diversion
- 3 rate of 50 percent and a 2000 generation study request
- 4 with a diversion rate of 52 percent.
- 5 With Board staff recommended changes, the city's
- 6 diversion rate as stated for 1999 are 46 percent and 44
- 7 percent for 2000. Attachments 3a and 3b to the agenda
- 8 item outlines staff recommended changes to the 1999 and
- 9 2000 calculations respectively.
- To determine the level of program implementation,
- 11 staff conducted a program verification site visit in March
- 12 of 2003 and analyzed the historic diversion rate trend
- 13 which has been fluctuating and difficult to assess. The
- 14 city is currently closing its landfill and has recently
- 15 changed a long-term hauling agreement. After 2003 the
- 16 city will have actual weight disposal tonnages for the
- 17 first time, and any program change required by the
- 18 landfill closure will have been implemented.
- 19 Until that time, staff feels annual
- 20 generation-based calculations of diversion are the most
- 21 appropriate method to assess the city's diversion rate.
- 22 Some of the major programs that have been implemented
- 23 include curbside collection of steel, tin, plastic, glass,
- 24 newspaper, and cardboard available to all residents and
- 25 businesses on request. They also provide drop-off

- 1 collection of recyclables at disposal facilities and
- 2 public facilities. And the city is also diverting
- 3 concrete, asphalt, and clean soil for reuse in city
- 4 projects.
- 5 Based on this information, staff recommends that
- 6 the Board find the City of Portola has made a good faith
- 7 effort in meeting diversion requirements. Representatives
- 8 of the city are present to answer questions.
- 9 This concludes my presentation.
- 10 CHAIRPERSON JONES: Are there any questions of
- 11 the city? For the City of Portola, I'm up there a lot.
- 12 We've got a place up in Plumas Pines. We're in there. I
- 13 see the activities you guys are doing. It's pretty
- 14 impressive for a small city.
- 15 Madam chair.
- 16 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you,
- 17 Mr. Jones.
- 18 I'd like to move approval of the 1999-2000
- 19 biennial review findings for the source reduction and
- 20 recycling element and household hazardous waste element
- 21 for the City of Portola, Plumas County.
- 22 COMMITTEE MEMBER PEACE: Second.
- 23 CHAIRPERSON JONES: I've got a motion by Chair
- 24 Moulton-Patterson, a second by Ms. Peace.
- Take the roll.

- 1 SECRETARY HARRIS: Moulton-Patterson?
- 2 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.
- 3 SECRETARY HARRIS: Peace?
- 4 COMMITTEE MEMBER PEACE: Aye.
- 5 SECRETARY HARRIS: Jones?
- 6 CHAIRPERSON JONES: Aye. Consent.
- 7 Well, when Mr. Medina comes, we'll start taking
- 8 his things, but these will go forward as 3-0s because
- 9 that's how many were here on consent.
- 10 Mr. Schiavo, Item C.
- 11 DEPUTY DIRECTOR SCHIAVO: Item C is
- 12 consideration of the application for an SB 1066 time
- 13 extension by Amador County Integrated Solid Waste, and
- 14 Natalie will present this also.
- MS. LEE: Thank you again, Committee members.
- 16 The Amador County Integrated Solid Waste
- 17 Management Agency has requested a time extension through
- 18 December 31st of 2004. The specific reasons the regional
- 19 agency needs a time extension are as follows: The agency
- 20 believed it was meeting the 50 percent goal in 2000. But
- 21 the agency and Board staff have identified a possible flaw
- 22 in base year calculations which may have an inflated the
- 23 default diversion calculation. Additional analysis must
- 24 be completed to determine whether there was an error in
- 25 the base year figures.

- 1 The agency is under new leadership and new county
- 2 administration and has requested time to review the
- 3 reporting methods used in the past and make improvements
- 4 to the measurement and reporting of diversion and
- 5 disposal.
- 6 The agency has already worked to improve
- 7 communication with its agency members and is requesting
- 8 time to implement additional programs that will expand
- 9 service to more county residents and businesses and
- 10 provide a more consistent program implementation
- 11 throughout the agency area.
- 12 The city anticipates a 9 1/2 percent increase in
- 13 its diversion rate under the proposed plan of correction
- 14 and will be able to more accurately assess the diversion
- 15 rate based on the supporting programs that will be
- 16 completed.
- 17 Board staff believe that the agency has prepared
- 18 a reasonable estimate of the current diversion rate,
- 19 considering the potential corrections to the base year.
- 20 Therefore, although there is some question about the
- 21 actual current diversion rate, the plan of correction was
- 22 built around a reasonable estimate, and the projected
- 23 increases should provide compliance with the 50 percent
- 24 goal.
- 25 Board staff has determined that the information

- 1 submitted in the application is adequately documented and
- 2 is recommending that the Board approve the time extension
- 3 request for the agency.
- 4 A representative from the agency is present to
- 5 answer any questions.
- 6 And this concludes my presentation.
- 7 CHAIRPERSON JONES: Thank you.
- 8 Madam chair.
- 9 COMMITTEE MEMBER MOULTON-PATTERSON: Perhaps you
- 10 could answer this or the representative from the city.
- 11 Are there efforts to work with the University in
- 12 Chico? I know that is a large school.
- MS. LEE: Within Amador County was there --
- 14 COMMITTEE MEMBER MOULTON-PATTERSON: Sorry. I'm
- 15 on Butte County. I'm so sorry.
- 16 But is there someone here from -- they can get
- 17 ready because I'm going to ask that question.
- 18 (Laughter)
- 19 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you.
- MS. LEE: Certainly.
- 21 CHAIRPERSON JONES: All right. I'll move
- 22 adoption of Resolution 2003-236, consideration of the
- 23 application for an SB 1066 time extension by the Amador
- 24 County Integrated Solid Waste Management Agency, Amador
- 25 County.

- 1 COMMITTEE MEMBER PEACE: Second.
- 2 CHAIRPERSON JONES: We've got a motion by Jones,
- 3 a second by Peace. Substitute the previous roll. On
- 4 consent.
- 5 Thank you, members.
- 6 All right. Next item which is Item D/4.
- 7 DEPUTY DIRECTOR SCHIAVO: It is consideration of
- 8 the application for an SB 1066 time extension by the Butte
- 9 County Regional Waste Management Authority.
- 10 Steve Sorelle will present.
- 11 MR. SORELLE: Good morning, Chairman Jones and
- 12 Committee members.
- 13 The Butte Regional Waste Management Authority
- 14 submitted an SB 1066 document requesting a time extension
- 15 until December 31st 2005. The agency plans to increase
- 16 their diversion rate of 39 percent and is confident that
- 17 the program outlined in its plan of correction will
- 18 successfully allow them to meet or exceed the 50 percent
- 19 diversion goal.
- 20 The specific reasons why this agency needs a time
- 21 extension are as follows: Based on a newly-approved
- 22 ordinance, the agency can commence implementation of
- 23 planned diversion programs. Sufficient time is needed to
- 24 evaluate the feasibility of enhancing a number of
- 25 diversion programs while also implementing several new

- 1 ones. Time is needed for the agency to gain the necessary
- 2 permits to establish the facility needed to implement the
- 3 plan programs. Most of the implementation activities will
- 4 take place in the first two years, but the composting
- 5 facility is planned for completion by the end of 2005.
- 6 The programs listed in the plan of correction
- 7 include a new compost facility, an increased diversion
- 8 requirement for the licensed waste collectors which is
- 9 expected to increase activity in the following programs:
- 10 commercial on-site pick-up, residential curbside
- 11 recycling, buy-back centers, drop-off centers, curbside
- 12 yard waste programs, the feasibility study of a material
- 13 recovery facility, and numerous supporting programs.
- 14 Board staff determined that the information submitted
- 15 within the application is adequately documented. Based on
- 16 this information, Board staff is recommending that the
- 17 Board approve the time extension request by the agency.
- 18 One thing I'd like the Board to note is the pounds per
- 19 person per day which is on Page 4.3 or 4-3 of the agenda
- 20 item will be corrected from 6.89 to 7.78.
- 21 Representatives of the regional agency are present to
- 22 answer any questions.
- This concludes my presentation.
- 24 CHAIRPERSON JONES: Madam Chair.
- 25 COMMITTEE MEMBER MOULTON-PATTERSON: Okay. Thank

- 1 you, Mr. Jones.
- Now that I'm on the right page, I do see here
- 3 that the regional agency works with Chico State to provide
- 4 recycling and training and curriculum to elementary
- 5 schools. But I guess my question would be, does the
- 6 University itself have a good recycling program? And I'd
- 7 just like to know about that.
- 8 I as well as Mr. Jones have graduates from that
- 9 school. It's a lovely campus.
- 10 MR. CRUMP: Good morning. Mike Crump. I'm the
- 11 Director of Public Works for the Butte County and I guess
- 12 the Director for the Regional Authority for Butte County.
- Unfortunately, the City of Chico, which the
- 14 University is located in, is not part of our regional
- 15 agency. So I know the City of Chico works very closely
- 16 with the University on those diversion requirements, but
- 17 we --
- 18 COMMITTEE MEMBER MOULTON-PATTERSON: They're
- 19 separate?
- 20 MR. CRUMP: They're separate. Butte College
- 21 had -- which is the junior college, we work directly with
- 22 them, and they are the incorporated area.
- 23 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you.
- 24 CHAIRPERSON JONES: And I've got a couple of --
- 25 actually, Butte College was a recipient of one of our

- 1 rubberized tracks that actually allowed everybody in all
- 2 the schools that never had a sanctioned track in that
- 3 whole district to have somewhere to actually have a track
- 4 meet without having to leave the county.
- 5 MR. CRUMP: Right.
- 6 CHAIRPERSON JONES: And those were Waste Board
- 7 dollars.
- 8 I've had a little bit of experience in Butte
- 9 County. And I'm wondering -- some of the time lines kind
- 10 of scare me because this is -- and my experience goes back
- 11 quite a few years so it's not current. But my concern is
- 12 always going to be if they're going to follow through on
- 13 some of this stuff. This has been a county that has -- as
- 14 an operator of one of the companies up there, I was
- 15 frustrated with start, stop, start, stop. And to pump
- 16 this out to 2005 puts the county in danger of --
- 17 if they're not successful of not meeting AB 939 and then
- 18 actually probably not have enough time for another
- 19 extension without having to go on a compliance order -- I
- 20 mean, has that been sort of factored into your plan?
- 21 MR. CRUMP: Yes. I think so. As you're probably
- 22 aware, we've had a struggle trying to establish some sort
- 23 of programs that would enable us to assure a steady flow
- 24 of municipal solid waste to our landfill where we could
- 25 fund any of these diversion programs that we were looking

- 1 at.
- 2 This program which was, again, approved by the
- 3 diversion programs for composting, which was approved by
- 4 the regional agency and the Board of Supervisors yesterday
- 5 morning -- the town of Paradise will hit on their Board
- 6 agenda last night under consent. While I didn't hear
- 7 specifically, their staff member assured me he had not
- 8 heard of any problems there.
- 9 The compost facility -- proposed one, is one that
- 10 we feel very confident in. Our Board is, I think, in full
- 11 support of it because it doesn't really compete with what
- 12 the haulers are doing presently.
- 13 One of our other programs is to increase the --
- 14 in our ordinance the diversion that the haulers need to do
- 15 for 15 to 20. And they're going after the curbside, the
- 16 buy-back centers, and so on. The other waste that is
- 17 readily available for diversion is the green waste and
- 18 municipal solid waste. And that isn't one we can control
- 19 at the landfill because now we're getting garbage there.
- 20 So we're confident that the time lines that we're
- 21 showing are reasonable, given the State that we have to go
- 22 through, the permitting, the environmental review, and so
- 23 on. But I'm confident that our Board is behind us and
- 24 will see it through.
- 25 CHAIRPERSON JONES: Okay. And I appreciate that.

- 1 I just worry that -- it's been a concern of all the
- 2 members. We limited these because we didn't want people
- 3 to go out so far, fail, and then not have an option.
- 4 MR. CRUMP: Absolutely. I believe we'll be
- 5 coming back every six months so I'll be keeping you
- 6 appraised of our progress.
- 7 CHAIRPERSON JONES: Great. Good luck.
- 8 MR. CRUMP: Thank you.
- 9 CHAIRPERSON JONES: It's a tough area.
- 10 MR. CRUMP: Yes, it is.
- 11 CHAIRPERSON JONES: Madam chair.
- 12 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you,
- 13 Mr. Jones.
- 14 I'd like to move approval of SB 1066 time
- 15 extension by the Butte Regional Waste Management
- 16 Authority.
- 17 CHAIRPERSON JONES: I'll second.
- 18 Got a motion by Chair Moulton-Patterson, a second
- 19 by Jones.
- 20 Let the record show that Mr. Medina is here.
- 21 And then could you call the roll.
- 22 SECRETARY HARRIS: Medina?
- 23 COMMITTEE MEMBER MEDINA: Aye.
- 24 SECRETARY HARRIS: Moulton-Patterson?
- 25 COMMITTEE MEMBER MOULTON-PATTERSON: Aye?

- 1 SECRETARY HARRIS: Peace?
- 2 COMMITTEE MEMBER PEACE: Aye.
- 3 SECRETARY HARRIS: Jones?
- 4 CHAIRPERSON JONES: Aye. On consent members.
- 5 Mr. Medina, the first couple items were 3-0 we
- 6 were going to put forward to the Board.
- 7 COMMITTEE MEMBER MEDINA: Make that 4-0 votes.
- 8 And no ex partes to report.
- 9 CHAIRPERSON JONES: Great. Thank you Mr. Medina.
- 10 All right. Item E, City and County of San Francisco.
- 11 DEPUTY DIRECTOR SCHIAVO: Kathy Davis will
- 12 present for the city and county of San Francisco.
- MS. DAVIS: Good morning, Board staff.
- 14 We conducted a review of the city and county of
- 15 San Francisco, generation-based study, and its proposed
- 16 time extension. In its generation-based study,
- 17 San Francisco originally requested a 46 percent diversion
- 18 rate for 2000. As a result, the Board's staff did a site
- 19 visit to verify city's claimed diversion. Board staff
- 20 agrees with the city's proposed 2000 diversion rate.
- 21 San Francisco has a 42-percent diversion rate for
- 22 1999. San Francisco is requesting to extend the due date
- 23 for achieving 50 percent diversion through December 31st,
- 24 2003.
- 25 Staff's analysis of San Francisco's plan of

- 1 correction indicates the plan is reasonable, given its
- 2 waste stream. Board staff conducted an assessment of San
- 3 Francisco's current program and its relationship to San
- 4 Francisco waste stream including a program review site
- 5 visit in 2003. San Francisco identified diversion
- 6 shortfalls in several program areas that led them to
- 7 redesign and expand existing programs to increase
- 8 diversion. Board staff recently had the opportunity to
- 9 see the materials recovery facility expansion program
- 10 being implemented.
- 11 Based on this information, Board staff is
- 12 recommending Board approval of San Francisco's application
- 13 as submitted for a time extension to the 2000 diversion
- 14 requirement on the basis of its good faith effort to date
- 15 to implement diversion programs and its plans for future
- 16 implementation.
- 17 Representatives from San Francisco are here
- 18 available to answer any questions.
- 19 Thank you.
- 20 CHAIRPERSON JONES: Any questions, Members? The
- 21 Chair recognizes the former supervisor from the City and
- 22 County of San Francisco, Mr. Medina.
- 23 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
- I'd like to move resolution 2003-238.
- 25 Before I do so, I just want to say that I was

- 1 very happy to see the fantastic three programs come up.
- 2 I'm a resident of San Francisco. And previously if you
- 3 did not have a receptacle for green waste, you had to bag
- 4 it in those lawn bags and put it on your curb. So now I'm
- 5 glad that we have a place for that green waste to be
- 6 picked up. And also as a result of not having a can to
- 7 put the green waste in, people just mixed it in the with
- 8 the garbage or the paper goods. So this fantastic program
- 9 just came to my neighborhood. I'm very glad that we have
- 10 it.
- In that regard, I'd like to move 2000-238,
- 12 consideration of the application for a 1066 time extension
- 13 by the City and County of San Francisco.
- 14 CHAIRPERSON JONES: I think as a garbage man in
- 15 San Francisco I'll second it.
- 16 Substitute the previous roll, members. On
- 17 consent. Thank you.
- Next item.
- 19 DEPUTY DIRECTOR SCHIAVO: Okay. This is
- 20 consideration of the Application for an SB 1066
- 21 alternative diversion requirement by the City of Orange,
- 22 Orange County. And Marra Kakutani will present.
- 23 MS. KAKUTANI: Good morning, Chairman Jones and
- 24 Committee members.
- 25 Board staff conducted a review of the City of

- 1 Orange generation-based study and its proposed alternative
- 2 diversion requirement. In its study the City of Orange
- 3 requested a 54 percent diversion rate for 2000. As a
- 4 result of the Board staff site visit to verify the City's
- 5 claimed diversion, Board staff is recommending a diversion
- 6 rate for revision for 2000 of 34 percent. The City has
- 7 requested an alternative diversion requirement of 46
- 8 percent until December 31st, 2004.
- 9 Staff's analysis of the City's request indicates
- 10 that the application provides enough information to
- 11 adequately justify its SB 1066 request for an alternative
- 12 diversion requirement.
- Based on this information, Board staff is
- 14 recommending approval of the City's application as
- 15 submitted for alternative to the 2000 diversion
- 16 requirement on the basis of its good faith effort to date
- 17 to implement diversion programs and its plans for future
- 18 implementation.
- 19 The City's representative is present to answer
- 20 any questions.
- 21 This concludes my presentation.
- 22 CHAIRPERSON JONES: Thank you.
- 23 Any questions, members?
- 24 Madam Chair.
- 25 COMMITTEE MEMBER MOULTON-PATTERSON: Mr. Jones, I

- 1 had a question, and I'd like to probably go ahead and move
- 2 this. Who's the hauler for the City of Orange?
- 3 MS. KAKUTANI: It's waste management.
- 4 COMMITTEE MEMBER MOULTON-PATTERSON: Did they
- 5 have a change? Was there a problem? I remember some sort
- 6 of something in the newspaper that there was a problem and
- 7 before -- and I just thought that that might have a
- 8 bearing on this.
- 9 MS. KAKUTANI: Crystal Fennel from Waste
- 10 Management is here. She could answer your question.
- 11 COMMITTEE MEMBER MOULTON-PATTERSON: Okay.
- 12 MS. FENNEL: We actually did take over. It was a
- 13 previously family-owned business, Orange Disposal, and we
- 14 actually purchased the business -- I believe it was in
- 15 '98.
- 16 COMMITTEE MEMBER MOULTON-PATTERSON: Okay.
- 17 Great.
- MS. FENNEL: We began a new contract in '99.
- 19 COMMITTEE MEMBER MOULTON-PATTERSON: There had
- 20 been some problems with the past one. Thank you for
- 21 answering that question.
- 22 And with that, I'll move approval.
- 23 CHAIRPERSON JONES: Excuse me. Could we get your
- 24 name, please, for the record. You don't get off that
- 25 easy.

- 1 MS. FENNEL: Crystal Fennel with Waste
- 2 Management.
- 3 COMMITTEE MEMBER MOULTON-PATTERSON: If there are
- 4 no other questions, I'll move approval of an SB 1066
- 5 alternative diversion requirement by the City of Orange,
- 6 Orange County.
- 7 COMMITTEE MEMBER MEDINA: Second.
- 8 CHAIRPERSON JONES: Got a motion by Chair
- 9 Moulton-Patterson, a second by Mr. Medina.
- 10 Substitute the previous roll. On consent.
- 11 Thank you, members.
- 12 COMMITTEE MEMBER MEDINA: Just one further
- 13 comment on this item. It states in here that one of the
- 14 difficulties they have is in regard to C&D. It says that
- 15 the CalTrans gives its contractors discretion to process
- 16 road materials and the contractors are under no obligation
- 17 to maintain accurate diversion and recycling records. I
- 18 think as a follow-up that's something we might take up
- 19 with CalTrans to get accurate information.
- 20 CHAIRPERSON JONES: Good point, Mr. Medina. And
- 21 one that you can take care of.
- 22 MS. MORGAN: Mr. Medina, thank you for making
- 23 that comment. And we actually have an issue working with
- 24 CalTrans to address the reporting issues. Thank you for
- 25 bringing that up.

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1 CHAIRPERSON JONES: Okay. The next item is a
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- 2 consideration for request to change in base year. But we
- 3 ought to have Heidi Hopper up here -- or Hooper to --
- 4 Hopper to -- at least she should stand up as the city
- 5 representative who's celebrating a birthday today.
- 6 (Applause)
- 7 CHAIRPERSON JONES: We won't make you come up
- 8 unless we have a question.
- 9 MS. HOPPER: I'd like to let you know I have
- 10 reached my 50 percent mark today.
- 11 (Laughter)
- 12 CHAIRPERSON JONES: There you go.
- 13 All right. Go ahead.
- 14 DEPUTY DIRECTOR SCHIAVO: Carolyn Sullivan will
- 15 present this item.
- 16 MS. SULLIVAN: Good morning. The City of
- 17 Woodland submitted a request to change its base year from
- 18 1990 to 2000. The City originally submitted a new base
- 19 year change request with a diversion rate of 66 percent
- 20 for 2000. No extrapolation was used to calculate
- 21 diversion. In addition, the City has submitted
- 22 documentation showing it meets the statutory conditions
- 23 for claiming biomass diversion credit in 2000.
- 24 As part of the base year study review, Board
- 25 staff conducted a detailed site visit. Board staff

- 1 proposed changes can be seen in their entirety in
- 2 Attachment 3.
- 3 As part of the verification process, Board and
- 4 City staff identified additional quantifiable recycling
- 5 tonnage from City Public Works projects. Staff recommends
- 6 that the tonnage be added to the study. Staff believed
- 7 the available data adequately meet the criteria for
- 8 inclusion as diversion that is representative of a normal
- 9 year. As shown in the agenda item, the City's diversion
- 10 rate for 2000 would increase from 44 percent to 54 percent
- 11 if the biomass claim is approved, thus exceeding the
- 12 50 percent diversion goal for 2000.
- 13 Staff also conducted a review of the City's
- 14 diversion program. The City reported that they have
- 15 successfully implemented source reduction recycling and
- 16 public education programs in order to meet the 50 percent
- 17 diversion goal.
- 18 Board staff is recommending option two of the
- 19 agenda item which would approve the revised new base year
- 20 with staff recommendations including the city's petition
- 21 for biomass diversion credit and accept the 1999-2000
- 22 biennial review findings.
- 23 As previously noted, a representative from the
- 24 City is present to answer any questions.
- 25 CHAIRPERSON JONES: Yes, it was noted.

- 1 Any questions?
- 2 A motion, Mr. Medina.
- 3 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
- 4 I'd like to move resolution 2003-241, consideration of a
- 5 request to change the base year to 2000 for the previously
- 6 approved source reduction and recycling element, and
- 7 consideration of the 1999-2000 biennial review findings
- 8 for the source reduction and recycling element and
- 9 household hazardous waste element for the City of
- 10 Woodland, Yolo County.
- 11 COMMITTEE MEMBER MOULTON-PATTERSON: Second.
- 12 CHAIRPERSON JONES: We've got a motion by
- 13 Mr. Medina, second by Moulton-Patterson. Substitute the
- 14 previous roll. On consent.
- Thank you, Members.
- Next item.
- 17 DEPUTY DIRECTOR SCHIAVO: Consideration to
- 18 change base year to 1999, and consideration of the
- 19 1999/2000 biennial review findings for the City of
- 20 Chowchilla, Madera County.
- 21 Natalie Lee will present Committee Item H.
- MS. LEE: Good morning, Committee.
- 23 The City of Chowchilla submitted a base year
- 24 change request changing its base year from 1990 to 1999
- 25 with a diversion rate in the original request of

- 1 58 percent. No extrapolation was used to calculate
- 2 diversion.
- 3 As part of the new base year study review, Board
- 4 staff conducted a detailed site visit to the city.
- 5 Recommended changes based on this verification can be seen
- 6 in Attachment 3 of the agenda item packet.
- With staff-recommended changes, the City's
- 8 diversion rate would be 50 percent in their 1999 proposed
- 9 new base year and 48 percent for 2000. Staff has also
- 10 conducted a 1999-2000 review of the City's SREE and found
- 11 the programs have been successfully implemented, major
- 12 diversion programs like the City's curbside collection of
- 13 recyclables for single-family residences and some
- 14 multi-family residential areas; curbside collection of
- 15 green waste with supporting ordinances prohibiting green
- 16 waste disposal; and public works policies for reuse of
- 17 asphalt, concrete, and other inert materials.
- 18 Staff has conducted a 1999-2000 biennial review
- 19 of the City's HHWE implementation and found that the
- 20 programs have been successfully implemented. Staff,
- 21 therefore, recommends the Board approve the revised base
- 22 year changes with staff recommendations and accept staff's
- 23 1999-2000 biennial review findings that the City has
- 24 adequately implemented its HHWE and has made a good faith
- 25 effort to implement its SRRE and meet diversion

- 1 requirements.
- 2 A representative from the city of Chowchilla is
- 3 here to answer any questions.
- 4 And this concludes my presentation.
- 5 CHAIRPERSON JONES: Members, any questions?
- 6 Motion, Madam Chair.
- 7 COMMITTEE MEMBER MOULTON-PATTERSON: I'll be glad
- 8 to move Resolution 2003-242 which is a request to change
- 9 the base year to '99 for the previously-approved source
- 10 reduction and recycling element and consideration of the
- 11 '99-2000 biennial review findings for the source reduction
- 12 and recycling element and household hazardous waste
- 13 element for the City of Chowchilla, Madera County.
- 14 COMMITTEE MEMBER MEDINA: Second.
- 15 CHAIRPERSON JONES: We've got a motion by Chair
- 16 Moulton-Patterson, second by Mr. Medina.
- 17 Substitute the previous roll. On consent. Okay.
- 18 So done.
- 19 Next item.
- 20 DEPUTY DIRECTOR SCHIAVO: Kathy Davis is going
- 21 to present Item 9/I, which is consideration of request to
- 22 change the base year 1999 and consideration of the
- 23 1999/2000 biennial review findings for the City of San
- 24 Jose, Santa Clara County.
- MS. DAVIS: Good morning, again.

- 1 The City of San Jose submitted a new base year
- 2 change requesting a diversion rate of 59 percent for 1999.
- 3 As part of the base year study review, staff conducted a
- 4 detailed site visit. The site visit resulted in several
- 5 changes to the claimed diversion. Board staff proposed
- 6 changes are discussed in their entirety in Attachment 3.
- 7 With the California Integrated Waste Management
- 8 Board staff recommended new base year, the City's
- 9 diversion rate would be 59 percent for 1999 and 64 percent
- 10 for 2000. There was extrapolation of non-residential
- 11 diversion data. The study was reviewed by statisticians
- 12 under contract with the Board to perform reviews and study
- 13 that utilized extrapolation methods.
- 14 City submitted a well-documented study. Of
- 15 particular note, the City handled non-respondents in a
- 16 conservative manner by including them in the calculation
- 17 with zero tons of recycling and zero tons of source
- 18 reduction. This resulted in lower diversion tonnage than
- 19 other feasible choices.
- 20 Staff also conducted a review of the City's
- 21 diversion programs. The City reported that they have
- 22 successfully implemented source reduction recycling
- 23 composting and public education programs to meet the
- 24 50-percent diversion goal. Board staff is recommending
- 25 option two of the agenda item which would approve the

- 1 revised new base year with staff recommendations and
- 2 accept the 1999-2000 biennial review findings.
- 3 Representatives from the City are present to
- 4 answer any questions.
- 5 Thank you.
- 6 CHAIRPERSON JONES: Are there any questions?
- 7 I have one question. When their base year -- and
- 8 I just don't remember how we do this. There's about
- 9 362,000 tons of inerts in this base year; right?
- 10 MS. DAVIS: Uh-huh.
- 11 CHAIRPERSON JONES: Is that inerts just been
- 12 stockpiled somewhere with a promise of being recycled
- 13 or --
- 14 MS. DAVIS: I'd like to invite the City up to
- 15 address that.
- MS. ABBY: Hi. Ruth Abby. I'm a consultant to
- 17 the City of San Jose.
- Just to let you know, they were -- these are all
- 19 tons that were recycled by the City Public Work staff or
- 20 by their contractor which is Reading Gram (phonetic) which
- 21 is a known C&D recycler. They regrind the material for
- 22 reuse, and these are all marked tons. They are not
- 23 stockpiled tons.
- 24 CHAIRPERSON JONES: Thanks. Mr. Medina.
- 25 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

- 1 I'd like to move resolution 2003-243,
- 2 consideration of a request to change the base year to 1999
- 3 for the previously approved source reduction and recycling
- 4 element and consideration of the '99/2000 biennial review
- 5 findings for the source reduction and recycling element
- 6 and household hazardous waste element for the City of San
- 7 Jose, Santa Clara County.
- 8 COMMITTEE MEMBER PEACE: Second.
- 9 CHAIRPERSON JONES: We've got a motion by Medina,
- 10 a second by Peace.
- 11 Substitute the previous roll. On consent.
- 12 Thank you, Members.
- Next item.
- 14 DEPUTY DIRECTOR SCHIAVO: Item 10/U is
- 15 consideration of the 1999/2000 biennial review findings
- 16 for the City of Lynwood, Los Angeles County.
- 17 And Steve Uselton will present this item.
- 18 MR. USELTON: Good morning, Committee members.
- 19 Staff has conducted a '99-2000 biennial review
- 20 for City of Lynwood source reduction and recycling element
- 21 program implementation to date and diversion rate
- 22 achieved.
- 23 Board staff is bringing forward its biennial
- 24 review findings that the City has failed to adequately
- 25 implement programs to achieve the 50 percent requirement

- 1 for 2000. Diversion rate was not calculable, and at the
- 2 March Board meeting, the Board did approve a new base year
- 3 for 2000 at 12 percent.
- 4 Board staff is recommending that the Board
- 5 consider issuing the City a compliance order. Staff has
- 6 conferred with the City and provided a 30-day notice as
- 7 required by statute to inform the City of the Board's
- 8 consideration of the issuance of compliance order for not
- 9 adequately implementing its SRRE.
- 10 The proposed compliance order does contain
- 11 conditions for the City to work with the Office of Local
- 12 Assistance staff to determine gaps in program areas and
- 13 make recommendations in improving, expanding, or
- 14 implementing new diversion programs. And staff will
- 15 conduct a needs assessment with the City to outline the
- 16 scope of local assistance plan.
- 17 Board staff recommends the Board find the City
- 18 has not adequately implemented its SRRE and approve the
- 19 attached order of compliance written.
- 20 City representatives are not available at the
- 21 meeting today, but I will attempt to answer any questions
- 22 from the Board.
- 23 And that would conclude my presentation.
- 24 CHAIRPERSON JONES: Madam chair.
- 25 COMMITTEE MEMBER MOULTON-PATTERSON: Steve, have

- 1 they been available? I mean, I know our office is very
- 2 close and you and your staff have been readily available.
- 3 You know, I know there's lots of problems in Lynwood like
- 4 lots of other cities. But other cities have been able to
- 5 work with us. And they're not here today.
- 6 MR. USELTON: The status is the City has been
- 7 working closely with us in improving the base year which
- 8 was brought to the Board at last month as its meeting.
- 9 We've finished that process, identified -- even going
- 10 through that effort identifying where some of the gaps
- 11 were. We have actually had correspondence with the City.
- 12 We will be meeting with them later this month to start
- 13 working on that -- that assistance plan. At this point
- 14 they do seem to be very cooperative in wanting to work
- 15 with us and outline a way to make things work better.
- 16 COMMITTEE MEMBER MOULTON-PATTERSON: And they
- 17 know that we probably need to issue this compliance order?
- 18 MR. USELTON: They understand that, and there has
- 19 been no dissent to that.
- 20 COMMITTEE MEMBER MOULTON-PATTERSON: Okay. If
- 21 there aren't any other questions, I will go ahead and move
- 22 Resolution 2003-244, 1999/2000 biennial review findings
- 23 for the source reduction and recycling element and
- 24 consideration of issuance -- and we are, you know,
- 25 recommending that a compliance order relative to the

- 1 '99/2000 biennial review finding be issued to City of
- 2 Lynwood, Los Angeles County.
- 3 COMMITTEE MEMBER MEDINA: Second.
- 4 CHAIRPERSON JONES: We got a motion by Chair
- 5 Moulton-Patterson, a second by Mr. Medina.
- 6 Substitute the previous roll. On consent.
- 7 Thank you, Members.
- 8 Mr. Schiavo.
- 9 DEPUTY DIRECTOR SCHIAVO: Item 11/K is an update
- 10 on the implementation of SB 1374. And Catherine Cardoza
- 11 will lead this team in presentation regarding this
- 12 legislation.
- 13 (Thereupon an overhead presentation was
- 14 presented as follows.)
- MS. CARDOZA: Good morning, Committee, Chair
- 16 Jones, and Committee members. Today we'd like to give you
- 17 an up-date on staff's proposal for developing a model C&D
- 18 diversion ordinance required in SB 1374. And then staff's
- 19 presentation will be followed by presentation by Patrick
- 20 Hayes with the City of Oakland who's graciously accepted
- 21 our invitation to present to you some information on their
- 22 C&D ordinances and their experiences with implementing it.
- --000--
- 24 MS. CARDOZA: First, I'd like to start with a few
- 25 disposal estimates statewide just to illustrate the

- 1 importance of having a model ordinance as a tool for
- 2 jurisdictions.
- 3 Based on a 1999 statewide disposal
- 4 characterization study, we found that overall C&D or
- 5 construction and demolition waste comprises 12 percent of
- 6 the state's disposal. Now, that can vary, of course,
- 7 depending on the amount of construction and demolition or
- 8 growth going on in an individual city. We found some
- 9 cities in establishing new base years that their C&D
- 10 disposal had comprised up to 20 percent of their waste
- 11 stream.
- 12 For the self-haul sector, overall statewide C&D
- 13 was approximately 50 percent of that waste stream, while
- 14 self-haul overall statewide is 13 percent of the state's
- 15 waste stream.
- 16 --000--
- MS. CARDOZA: Now, for the model ordinance,
- 18 SB 1347 requires that the Board develop and adopt a model
- 19 construction and demolition, or C&D, waste diversion
- 20 ordinance by March 1, 2004. And the only requirement in
- 21 the law is that we include in the ordinance a 50- to
- 22 75-percent diversion rate requirement.
- --000--
- 24 MS. CARDOZA: The rest of the law requires mostly
- 25 procedural steps that we follow in the development of the

- 1 model ordinance. For example, we are to solicit input
- 2 from affected parties and to solicit public comment on the
- 3 draft before we go to the Board for final adoption.
- 4 --000--
- 5 MS. CARDOZA: Specifically in the law we are to
- 6 include in the development process the California League
- 7 of Cities, the California State Association of Counties,
- 8 or CSAC, public and private waste haulers, the building
- 9 construction materials industry, and construction
- 10 management personnel. And we also, of course, will be
- 11 including local jurisdictions, especially those that have
- 12 ordinances already. And if there are any other specific
- 13 players that you would like us to include in the
- 14 development process, we'd like to have you let us know
- 15 that.
- --o0o--
- MS. CARDOZA: As far as the model ordinance goes,
- 18 we are -- our intent is to develop an effective tool for
- 19 all concerned, both local jurisdictions that will be
- 20 chosen to implement such an ordinance and for those that
- 21 will be complying with it. We also will be basing it as
- 22 much as possible on existing ordinances that we find
- 23 through input from stakeholders that are effective and
- 24 working. And also because of all the cities and the
- 25 counties -- they're all very different. Instead of

- 1 choosing a one size fits all, we plan to develop a modular
- 2 format to provide the maximum flexibility so cities and
- 3 counties can choose those components of an ordinance that
- 4 best fits their situation.
- 5 --000--
- 6 MS. CARDOZA: To have a model ordinance that is
- 7 as effective as possible, when we interview -- conduct
- 8 workshops with the stakeholders, we'll be asking questions
- 9 about the effectiveness of the ordinances that they're
- 10 already involved with, either complying and implementing
- 11 what impacts that they have found on stakeholders, what
- 12 weaknesses and strengths they have found in those
- 13 ordinances, and what barriers they experienced either in
- 14 adopting, implementing, or complying with the ordinance,
- 15 and any potential improvement that they could recommend
- 16 from getting this information. That will be the basis for
- 17 us to develop an ordinance plus guidelines on which when a
- 18 particular component would work for a particular
- 19 jurisdiction.
- 20 --00o--
- 21 MS. CARDOZA: This will be a collaboration effort
- 22 between staff in the Diversion, Planning and Local
- 23 Assistance Division and market staff. The Markets
- 24 Division staff will be using data from a variety of
- 25 sources, both in-house that we have already as well as

- 1 in-house expertise, and of course, soliciting public input
- 2 from stakeholders will be a vital role in this
- 3 development.
- 4 We'll develop a draft ordinance that we're hoping
- 5 to have a workshop on in late summer, early fall to get
- 6 comments from stakeholders. And we're hoping to draft
- 7 the -- post the draft ordinance on the web for public
- 8 comment, say, in October or November. Since it's due to
- 9 be adopted by March, we hope to take the final to the
- 10 Board in January or February.
- --00--
- 12 MS. CARDOZA: Now I'd like to pass off the staff
- 13 presentation to Francisco on the market information in the
- 14 waste stream, and then he'll be followed by Patrick Hayes.
- 15 MR. GUTTERRES: Good morning, Chair and Board
- 16 members.
- I just want to let you know that our section's
- 18 purpose is actually create market for
- 19 environmentally-friendly product and at the same time to
- 20 create a healthier building force and hopefully a better
- 21 place.
- --000--
- 23 MR. GUTTERRES: Some of the major component that
- 24 Board need to take action on is actually to develop the
- 25 ordinance and three reports. These ordinances are

- 1 somewhat of a voluntary ordinance. And reports are
- 2 actually to provide -- recommend programs or methods for
- 3 diverting C&D material.
- 4 In February we received a letter from Keuhl --
- 5 Senator Keuhl and basically requesting staff to focus on
- 6 the small generators of C&D material. In addition -- for
- 7 this reason, in addition to being a volunteer ordinance,
- 8 staff knew that we need to have a package approach,
- 9 meaning that we somehow need to have the ordinance and
- 10 also the programs working together and complement each
- 11 other. And hopefully we'll achieve our goal.
- 12 And in order for that to happen, we really need
- 13 the stakeholders to buy in it. In other words, they would
- 14 want to support them. So for that reason we see both
- 15 package approach. And the package approach we want buy in
- 16 from the stakeholders. We see that as, in a way, a good
- 17 thing because these are volunteer standard, and they are
- 18 recognized nationwide.
- --00--
- 20 MR. GUTTERRES: Next thing I would like to give
- 21 some sort of background information on C&D material. I'll
- 22 be presenting some numbers, but the main purpose is just
- 23 to look at the magnitude of it. These data that I show in
- 24 front you is from the California EPA study and is 1999.
- 25 So just bear that in mind. The thing about by looking at

- 1 these slides, we see there is much more material being
- 2 generated in demolition than in construction. And I'm
- 3 referring to pounds per square foot. So intuitively you
- 4 would imagine there would be more C&D material coming from
- 5 demolition projects. But, actually, look at the data and
- 6 it's actually about 50/50; 50 percent is from
- 7 construction, 50 percent is demolition. This would
- 8 indicate to us that there are a lot more projects in
- 9 construction than there are demolition.
- 10 --00o--
- 11 MR. GUTTERRES: The next slide I would like to
- 12 show to you is about residential, the makeup of. I just
- 13 want to call your attention the second component is
- 14 concrete. And for non-residential, once again, focus I
- 15 would like to call the attention to two major components.
- 16 --00o--
- 17 MR. GUTTERRES: The first is concrete, and the
- 18 second is wood. If you recall, it's the reverse of what I
- 19 showed you earlier. This is partly due to different
- 20 construction of different building. I guess we consider a
- 21 lot of residential construction of wood type of structure,
- 22 whereas non-residential they tend to have more concrete in
- 23 the building.
- --000--
- 25 MR. GUTTERRES: I got this information actually

- 1 from our study in 1999 -- 1991. Sorry. And this -- in
- 2 this that study they give us a conversion factor, and it's
- 3 under a very specific condition. So what staff did is to
- 4 combine all these things, like gypsum. It could be dry.
- 5 It could be wet. What we staff did is to provide a
- 6 spectrum how heavy would a material be. And the data I
- 7 present is tons per cubic yard. And as you can see here,
- 8 most of the material are somewhat heavy. And the
- 9 categories of the city are the same as the category in
- 10 waste study.
- 11 There's one component I have not shown here is
- 12 the others, the mix C&D material. And staff has good
- 13 handle of it. It could be plastic. It could be -- that I
- 14 decide not to show that.
- 15 Since the material's heavy, very conservative
- 16 bundle of component and says about half a ton per cubic
- 17 yard. That comes about 1,000 pounds per cubic yard. So
- 18 taking this very conservative number -- and these
- 19 materials tend to be heavy. And to start, this will
- 20 indicate if we come out with some programs, they have to
- 21 be somewhat local. We cannot afford transport material
- 22 from Sacramento, say, to San Jose and so on. Most likely
- 23 it will not work. And also for that reason we also feel
- 24 that a modular approach will be appropriate, this way use
- 25 the flexibility that the local government may need.

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2	MR. GUTTERRES: In order to understand what we're
3	dealing with and actually to understand the stakeholders
4	concern, we would like to have approach to correct this
5	information. First of all, we would have a survey. And
6	in this particular survey what we want to know is what the
7	stakeholder would like to see. And also we want the
8	stakeholder to rate importance of these issues. Is it
9	very important or something they would like. And once we
10	get a survey back, we evaluate them. We will try to put
11	some measuring units to it. We will see if there's any
12	alternative and also characteristics performance.
13	To give you an example, measuring units would be
14	builders want to see there uniformity in the ordinance
15	from different jurisdiction. But is this statewide? Not
16	in California, Southern California, or region. How we
17	would put some measuring units.
18	The alternative, if somebody would complain about
19	too long of a waste management plan, we would either come
20	out with a waste management form. And performance would
21	be waste management plan. What the potential impact it
22	would be, such as it would create more paperwork, increase
23	the potentially increased turn-around time, and increase
24	expenses, for example. And the purpose of this approach

is actually to solicit input from all the parties in a

- 1 somewhat comfortable environment because they don't have
- 2 to speak to any of the stakeholder other than own
- 3 stakeholder. And once we have that information, we can
- 4 have this to -- have these points up front instead of
- 5 trying to discover them at a later point.
- 6 And the next thing, I'll identify areas we would
- 7 trade off so that will be something that we would help
- 8 each other out.
- 9 --000--
- 10 MR. GUTTERRES: And once again, I would like to
- 11 reiterate what I just discussed earlier. What is --
- 12 meaning the package approach, meaning the ordinances and
- 13 the program should work together and enhance each other,
- 14 and also the way that we collect the information which is
- 15 essentially a method to identify common interest areas
- 16 that can be compromised or potentially targeted that we
- 17 need to negotiate. And once again, we are in the early
- 18 stage of identifying stakeholder, and we would like to
- 19 have all the stakeholders included. We see this as an
- 20 opportunity for the impacted community to work together to
- 21 address the C&D issue. And as a team, we believe that
- 22 SB 1373 can be a success and we can achieve our goals and
- 23 have enhanced business opportunity here in California.
- 24 And with that, therefore, if you have anybody or
- 25 stakeholders that you feel that we should talk to, please

- 1 let us know. Thank you.
- 2 MS. CARDOZA: And now Patrick Hayes from the City
- 3 of Oakland will be presenting their ordinance and
- 4 experience.
- 5 MR. HAYES: Good morning, Board. For the record,
- 6 my name is Patrick Hayes from the City of Oakland
- 7 recycling program.
- 8 I decided to keep things simple. I took a list
- 9 of questions that Terry Edward forwarded to me via e-mail.
- 10 I'm not going to do a PowerPoint presentation. So make
- 11 sure you've got your pad and pen ready.
- 12 I've been working on this program for two years
- 13 now. We adopted our ordinance in July 2000. Since then,
- 14 I was asked how successful has this City of Oakland been
- 15 with diverting C&D material. Personally, I have to say
- 16 we're quite successful. Considering the size of the city
- 17 and the number of applications for construction projects
- 18 that are effected each year, which is about 50, we're
- 19 getting good compliance. I've seen recycling average at
- 20 about 60 to 65 percent on most construction and most
- 21 construction projects and rates as high as 92 and 93
- 22 percent on new construction.
- 23 One of the other questions that was asked, what
- 24 infrastructure do we have in place that's contributed to
- 25 this success? We've got a number of things in place.

- 1 Environmental services division, it's a division of public
- 2 works where I work. Initially hired two full-time
- 3 employees, and we were working on technical assistance to
- 4 the applicants so that there wasn't the appearance that it
- 5 was a hindrance or this was difficult or something that
- 6 was hard for the applicants, but also to set a protocol
- 7 and train city staff on how to handle these applications
- 8 and get everybody who interacts with the applicants
- 9 trained on C&D recycling so that it didn't just stay
- 10 within the public work agency.
- 11 This is something we're attempting to disseminate
- 12 and have all the other agencies take ownership of C&D
- 13 recycling. We're currently down to 1.25 full time
- 14 equivalence, at this point in time still focusing on
- 15 technical assistance, spends about 75 percent of their
- 16 time, and then another co-worker who spends about half of
- 17 her time working on some of the protocol issues.
- 18 Oh, the other thing I neglected to indicate is
- 19 that this is tied to our permit process. So when you
- 20 apply for a building permit, there are a list of projects
- 21 that are affected. That includes all new construction,
- 22 all remodels construction value over \$50,000, excluding
- 23 single-family dwellings, and all demolition projects
- 24 excluding single-family dwellings. You have to file a
- 25 recycling plan that indicates your projected disposal

- 1 rates and how you're going to handle those materials to
- 2 achieve a minimum of 50 percent recycling.
- 3 I personally review every one of those plans and
- 4 review those prior to permit issuance. Oftentimes, I
- 5 return those to applicants with recommendations on how
- 6 they might, one, save money, two, hit a much higher
- 7 recycling or diversion rate.
- 8 And then at the end of the process when a project
- 9 is completed, in order to get a certificate of occupancy
- 10 or a temporary certificate of occupancy, they have to
- 11 submit a summary indicating -- that indicates what they
- 12 actually diverted and, if need be, provide documentation.
- 13 Otherwise, they don't get that certificate of occupancy.
- 14 And for most contractors, that means no final payment. If
- 15 you're familiar with the construction business, there's
- 16 usually about a 5 to 7 percent withholding from every
- 17 cycle payment along the way that you get with the final
- 18 payment when you have a CO or when the project's
- 19 completed.
- 20 So that's kind of how we encourage people
- 21 comfortably without it being an impediment. You've got to
- 22 do it, but we're not going to get in the way. We'll offer
- 23 plenty of assistance so there's not a problem.
- Other resources that we have in place -- we have
- 25 numerous recycling centers in our region, and I neglected

- 1 to bring some of my support material. I left them at my
- 2 hotel room. We have a building guide to reuse and
- 3 recycle. That's available at oaklandrecycle.com or from
- 4 the Alameda County Waste Management Authority at
- 5 stopwaste.org. This builders' guide is designed to fit in
- 6 your back pocket. It lists facilities by material. And
- 7 so if you've got it in your back pocket, there's no reason
- 8 you can't find someplace to recycle everything coming off
- 9 of your job site.
- 10 We have the green building resource center which
- 11 is a library space located adjacent to our planning and
- 12 zoning counter. When you come in for a while, you're
- 13 waiting, which can be a long time. You have an
- 14 opportunity to come to the library, pick up information on
- 15 green building issues, specific information on our
- 16 recycling program, and develop a binder full of
- 17 information on how to file this recycling plan, hints and
- 18 tips on how to make it better, a lot of information I
- 19 borrowed from King County in Washington.
- 20 And then the other big tools that we have is a
- 21 dedicated website to demolition and recycling. I spent a
- 22 better part of a year writing that and working with our
- 23 tech team to get that up and running. And that's -- you
- 24 can get there from within oaklandrecycle.com.
- What else do we have? Well, we have our

- 1 sustainable development guidelines that we adopted, and
- 2 within that there's information on C&D recycling. One of
- 3 the other interesting tools that we have is the great gift
- 4 of Measure D and the Alameda County Waste Management
- 5 Authority is a \$10 a ton rebate for materials taken to
- 6 specific facilities that will do the sort. So when
- 7 someone says to me, "I can't take this material someplace
- 8 and recycle it. I don't have space. I don't have time.
- 9 It's going cost me too much." I say, "Okay. If you haul
- 10 it to one of these six facilities, they'll do the sort for
- 11 you, and I'll work to get you a \$10 a ton rebate." That's
- 12 how we can assure somebody they're going to meet the goal.
- 13 The \$10 a ton rebate is designed to offset additional
- 14 trucking expenses because most of these facilities were
- 15 out of the county.
- Now we're blessed with having a new facility that
- 17 opened. Waste management built a knew MRF, and the Waste
- 18 Board -- excuse me -- from the Waste Authority, and
- 19 they're hitting 60 percent recycling rate from C&D
- 20 material. So now if somebody says to me, "I can't do
- 21 this, " and I say, "It's the same price as garbage. You're
- 22 going to haul it over there. They're going to give you
- 23 the documentation." Those are the kinds of support
- 24 mechanisms that we have.
- 25 I was asked about barriers. And along with any

- 1 program, when you come along and slop down seven pages of
- 2 what is perceived to be a change -- that one really looked
- 3 like a paradigm change for a lot of builders. It turned
- 4 out it was. Most of the contractors with whom I've been
- 5 working had been recycling because it made the most sense.
- 6 Most of them are sickened by their waste. Most of them
- 7 are heartbroken that they send material to landfill. But
- 8 it's a time issue for an awful lot of them. But a great
- 9 many of them have been working on conserving resources by
- 10 source reduction and sorting out what they could, what was
- 11 easy, and what was convenient.
- 12 And once I showed them that this makes good
- 13 business sense, they said, "Well that's what I've already
- 14 been doing." I said, "Well, we're calling it recycling
- 15 now. So you're already on board."
- 16 It was an interesting evolution, but there was a
- 17 lot of hesitation at first and there was a lot of
- 18 hesitation on staff because I was asking a different
- 19 department, a different agency to take on this task of
- 20 collecting these summary reports. All it means is bring a
- 21 piece of paper back to the office, drop it in the hopper.
- 22 It was perceived as a big problem because I was -- and it
- 23 was turned over to me, turning over this huge workload to
- 24 these other guys who already had too much going on.
- One of the other barriers -- let's see. We have

- 1 other barriers. Staff buy-in was really tough.
- 2 And then I was asked about who do we involve
- 3 during -- our stakeholders. I forgot to go through who
- 4 our stakeholders were. I think that makes a lot of sense.
- 5 Stakeholders, public works agency, staff. That was
- 6 floated around for almost two years before it went to a
- 7 draft ordinance and it went through the different agencies
- 8 who might be involved. It also went to the building
- 9 owners and managers association, the East Bay Chapter who
- 10 bought in and actually helped us make some big changes.
- 11 Waste haulers, recycling providers, construction firms.
- 12 We went to major construction firms in the area and said,
- 13 "You guys do a couple hundred million dollars in business
- 14 a year in this city. What do you need to see so this is
- 15 easy for you to digest?" So it's not perceived as a
- 16 problem.
- 17 After spending almost two years getting that
- 18 buy-in, then it went to the Council. Then the ordinance
- 19 was written. So we really had good buy-in beforehand.
- 20 There's a few things that I would like to have changed
- 21 about it before we went to implementation, but that's a
- 22 different story.
- 23 I went through the projects that are affected.
- 24 Already talked about that.
- Oh, you know, I was asked, do we use size of

- 1 construction or value thresholds or fees? Fees were
- 2 perceived as bad for business. We had a mandate from City
- 3 Council that we were to grow open. We had a 10,000 new
- 4 resident program that the Mayor brought with him 65 years
- 5 ago when he was a selected. So we couldn't get in the way
- 6 of bringing 10,000 new residents to Oakland or we would be
- 7 perceived as bad. Fees cost everybody money. It costs
- 8 us money to handle those. It costs the contractor money
- 9 when they have 5- or \$6,000 tied up for seven or eight
- 10 months. That's interest they're not making. That's
- 11 capital they don't have to spend on this particular
- 12 project. So I'm of the opinion it is -- it could be
- 13 valuable, but we opted not to go that way because it was
- 14 perceived as a problem.
- 15 I guess that kind of covers most of my points.
- One of the things I did want to point out was
- 17 that Oakland C&D rate is 23 to 28 percent of our annual
- 18 disposal. It's much higher than that statewide average,
- 19 and we're a very concentrated community with a lot of
- 20 activities, lots of commercial buildings. We tend to have
- 21 turn-over every four to five years. So there's a lot of
- 22 the commercial material that comes out on a very regular
- 23 basis.
- 24 That covers my points. Are there any questions?
- 25 CHAIRPERSON JONES: There is. Madam chair.

1 COMMITTEE MEMBER MOULTON-PATTERSON: I just have

- 2 a real quick question.
- 3 Sounds like Oakland's doing a great job. I'm
- 4 hoping you're sharing it through your website with other
- 5 cities and counties.
- 6 My question is when's Fenton's going to open?
- 7 MR. HAYES: Fenton's is supposed to open. There
- 8 was a big piece in the paper. For those of you that
- 9 aren't aware, there is an old-time ice cream parlor that's
- 10 been around since, like, 1917 or 1918. Burned down a
- 11 couple of years ago, and the new owner is getting ready.
- 12 I actually processed that permit about four months ago.
- 13 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you.
- MR. HAYES: We should be back in operation
- 15 shortly.
- 16 COMMITTEE MEMBER MOULTON-PATTERSON: Okay. Thank
- 17 you.
- 18 CHAIRPERSON JONES: Somebody went to school in
- 19 that area.
- 20 All right. Thank you, all three.
- 21 Are there any questions from the members?
- I have just one thing. I think the stakeholder
- 23 group from our staff -- and I'll ask Mr. Leary to look
- 24 into this. With all the work we're doing on C&D
- 25 ordinance, I think P&E needs to be involved on that team

- 1 so that we don't promote things that would create a
- 2 storage problem as one of our issues. So I think it needs
- 3 to be included. And I'll leave that up to you, if that's
- 4 okay with the members, adding P&E to that group.
- 5 Thank you very much. We're going take a
- 6 ten-minute break prior to our last item. Okay. Thank
- 7 you.
- 8 (Thereupon a recess was taken.)
- 9 CHAIRPERSON JONES: Members, ex partes?
- Ms. Peace.
- 11 Our friends from Oakland and our Waste Prevention
- 12 staff?
- 13 COMMITTEE MEMBER PEACE: Yeah.
- 14 CHAIRPERSON JONES: Okay. Chair.
- 15 COMMITTEE MEMBER MOULTON-PATTERSON: I was
- 16 introduced to William Terry of republic services. And I
- 17 had a brief conversation with Mr. Aprea about C&D
- 18 legislation.
- 19 CHAIRPERSON JONES: Great. Thank you.
- Mr. Medina.
- 21 COMMITTEE MEMBER MEDINA: Just congratulated the
- 22 representative from the City of Oakland on their C&D
- 23 program.
- 24 CHAIRPERSON JONES: And I had meet and greets
- 25 with Jim Greco, Mark White, Bill Terry, and Larry Burch,

- 1 and that was it. All right.
- DEPUTY DIRECTOR SCHIAVO: First of all, I'd like
- 3 to reconfirm that Item Number 13 has been pulled. I want
- 4 to make sure that's in your binders that way.
- 5 And the final item, 12, which is a presentation
- 6 issue on allocations at Potero Hills Landfill. And Denise
- 7 Hume will present this item.
- 8 (Thereupon an overhead presentation was
- 9 presented as follows.)
- 10 MS. HUME: Good morning. I'm Denise with the
- 11 Waste Analysis Branch, and we would like to do a
- 12 presentation on issues related to the accuracy of disposal
- 13 allocation at Potero Hills Landfill in Solano County.
- 14 --000--
- 15 MS. HUME: I would like to give you a little bit
- 16 of background on the disposal reporting system as it now
- 17 stands.
- 18 As a minimum, the state requires haulers to
- 19 report to jurisdiction of origin on all loads delivered
- 20 during quarterly survey weeks. Facilities must compile
- 21 that information, summarize it, and report it to the host
- 22 agency or county. Those host agencies or counties in turn
- 23 compile that information from all the landfills in their
- 24 county, and they report quarterly to the Board and to all
- 25 affected jurisdictions. The jurisdictions then use that

1 disposal data to calculate the diversion rates in their

- 2 annual reports to the Board.
- 3 --000--
- 4 MS. HUME: Now a little background on the
- 5 disposal reporting unit at the Board. It consists of four
- 6 entries per quarter. This is for 438 jurisdictions who
- 7 dispose at 175 landfills throughout the state. We verify
- 8 and analyze the data and work with agencies to obtain the
- 9 correct information. Each quarter we make unannounced
- 10 site visits at 40 to 100 or more facilities to verify if
- 11 origin information is being asked. Each visit is followed
- 12 up with letters to the landfill operator and the agency
- 13 with results of that survey.
- 14 --000--
- 15 MS. HUME: The DRS unit also joins with P&E on
- 16 special alternative daily cover investigations which
- 17 involves site visits and analyzing data. We cooperate
- 18 with the Board of Equalization to investigate facility's
- 19 records that we may have questions on.
- 20 --000--
- 21 MS. HUME: And now a little background
- 22 information on Potero Hills Landfill and Solano County.
- 23 Potero changed ownership in late 2000. Key staff at the
- 24 landfill and at the county were not available for various
- 25 reasons, and quarterly reports by Solano County were not

- 1 received by the Board for up to nine months late for 2001.
- 2 Because of the lateness in getting the data and the
- 3 urgency to complete the reports, questionable data and
- 4 unidentified origins were not discovered until late, and
- 5 outstanding issues were not resolved. Solano County
- 6 started preparing their report and found large amounts of
- 7 host site waste which brought their diversion rate down
- 8 from 50 percent to 15 percent for 2001.
- 9 Some jurisdictions who received the data from
- 10 Potero Hills Landfill were concerned with either high
- 11 tonnages or no tonnages. Solano County requested that the
- 12 landfill investigate all the unidentified waste and find
- 13 out what transfer stations were using the landfill. Some
- 14 of the transfer stations were not listed, and the
- 15 allocation was given to a single jurisdiction in which the
- 16 transfer station was located. The names of the transfer
- 17 station that use the landfill were not transfer stations
- 18 listed in the SWIS database which made it very difficult
- 19 to identify. And in September 2002, board staff met with
- 20 Solano County and Potero Hills landfill staff to clarify
- 21 disposal reporting requirements, and they discovered more
- 22 issues with how data was being rolled up.
- --000--
- 24 MS. HUME: Potero Hills Landfill submitted a
- 25 revised 2001 report in March of this year. Some

- 1 discrepancies were still evident in the revised report,
- 2 such as tonnages being allocated to the wrong
- 3 jurisdiction, and still some unknown transfer station
- 4 allocation and discrepancies in amount sent from a
- 5 transfer station compared to the amount received by the
- 6 landfill. The landfill and county contacted transfer
- 7 station to obtain jurisdiction of origin so tonnage could
- 8 be correctly identified. More revisions were made by the
- 9 landfill, but there were still issues with the accuracy of
- 10 the report.
- --00--
- MS. HUME: And here's just a recap of the issues
- 13 with the Potero Hills landfill data for 2001. And this
- 14 also exists for part of 2002 data. Tonnage for some
- 15 jurisdictions was unusually high. Tonnage for some
- 16 jurisdictions was unusually low.
- 17 And the next two slides will show this more
- 18 clearly.
- --o0o--
- 20 MS. HUME: Solano Unincorporated received more
- 21 than 18,000 tons of unidentified waste for 2001. And you
- 22 can see this in the graph. Waste was not allocated from a
- 23 number of transfer stations and was assigned to the
- 24 landfill host which is Solano county.
- 25 --000--

- 1 MS. HUME: And here's a graph of Fort Bragg.
- 2 They had virtually no waste assigned to them for 2001.
- 3 And the tonnage had been misassigned to Mendocino and
- 4 Sonoma regional agency and also Antioch showed nearly
- 5 6,000 extra tons in the fourth quarter of 2001. And there
- 6 was mistaken, the roll up of the numbers. So that 6,000
- 7 tons should have gone to Contra Costa County instead of
- 8 Antioch.
- 9 --000--
- 10 MS. HUME: We also had incomplete data by
- 11 jurisdictions. Some transfer station names were not
- 12 listed in the Board's solid waste information system.
- 13 Tonnage from regional haulers did not identify
- 14 jurisdiction allocation. And some districts were listed
- 15 as jurisdiction of origin.
- 16 --000--
- 17 MS. HUME: There was also a large turnover in
- 18 landfill staff, and there was no back-ups trained to take
- 19 over for those staff. So there was no training of new
- 20 staff. There was very large amount of Board staff time
- 21 spent on issues, time discussing with county the landfill
- 22 and with jurisdictions.
- 23 There is a potential impact on 2001 diversion
- 24 rate calculation for jurisdictions disposing at Potero
- 25 Hills in 2001.

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1	000

- 2 MS. HUME: Over 80 percent of the waste received
- 3 at Potero Hills is from jurisdictions outside of Solano
- 4 County. And here's a list of some of the counties that
- 5 dispose at Potero Hills Landfill. This does not include
- 6 all of the counties that dispose there.
- 7 Staff has identified the jurisdictions within
- 8 these counties that their disposal tonnages may change and
- 9 that there may be an impact on the diversion rates. Staff
- 10 does expect that changes in diversion rate will be small
- 11 for most jurisdictions. But there may be some
- 12 jurisdictions that have a larger change in diversion rate,
- 13 and that is yet to be determined.
- 14 --000--
- MS. HUME: Now, since this presentation was
- 16 completed, further investigation has been done. Staff met
- 17 with the landfill staff yesterday to go over the remaining
- 18 discrepancies that we have found. The 2001 discrepancies
- 19 were all identified and will be corrected. We anticipate
- 20 a revised report for all the quarters of 2001 in the near
- 21 future. We will also be meeting with the county and the
- 22 landfill staff one more time to confirm these corrections
- 23 have been made.
- 24 The 2002 reports will still need to be revised,
- 25 at least for the first, second, and third part of the

- 1 quarter.
- 2 The landfill has incorporated a new system that
- 3 should correct any roll up of data problems, and they have
- 4 correctly identified transfer stations. Staff has been
- 5 trained on the procedures necessary to improve the systems
- 6 so we expect it to be greatly improved.
- 7 --000--
- 8 MS. HUME: Our future steps include -- we will
- 9 notify jurisdictions of the revised 2001 disposal amounts
- 10 as soon as we receive those and impacts on their diversion
- 11 rates. And we have addressed some of these items in our
- 12 draft DRS regulation revisions. And those include
- 13 additional training requirements, increased access to
- 14 records for jurisdiction of origin verification purposes,
- 15 and use of hauler dispatch or billing data to determine
- 16 jurisdiction of origin. These last two items, I want to
- 17 let you know that they are not -- they are increased
- 18 access, but they are not requiring that this information
- 19 be submitted to the Board. It just includes increased
- 20 access to records.
- 21 This concludes my presentation. We have staff
- 22 from Solano County and Potero Hills Landfill available for
- 23 your questions.
- 24 And I believe Larry Burch from the landfill would
- 25 like to make a comment.

- 1 CHAIRPERSON JONES: Any questions, members?
- 2 MS. HUME: Any questions for me?
- 3 CHAIRPERSON JONES: Okay. We've got Larry Burch
- 4 from Potero Hills Landfill.
- 5 MR. BURCH: Larry. Thank you, Mr. Chairman, and
- 6 members of the Committee and the Board.
- 7 My name is Larry Burch. I'm the compliance
- 8 manager and engineering manager for Potero Hills Landfill.
- 9 Personally, I'm embarrassed to be here for this
- 10 type of topic. I left this agency or the procurer agency,
- 11 the State Solid Waste Management Board, years ago after
- 12 serving as deputy director officer for 25 years. So I
- 13 cannot plead ignorance on compliance with regulations.
- 14 2001 was quite a year for the staff of Potero
- 15 Hills landfill. Midway through the year, Republic
- 16 Services purchased Potero Hills Landfill and some other
- 17 operations in the Bay Area, and we went through a
- 18 transition. We lost part of our staff during that time
- 19 that had been new the early part of 2001 as far as the
- 20 waste jurisdictions. And then as we moved into the
- 21 late -- end of 2001, we were moving into Republic's system
- 22 of managing all the data.
- I can assure you that all the tonnages that we've
- 24 collected are correct. So our reports to BOE, those are
- 25 correct. We paid the correct fees to the state and the

- 1 county. It's just the jurisdiction data that we found our
- 2 difficulties.
- 3 I'm here to pledge to you that we have been
- 4 working diligently with your staff. And I'd like to
- 5 commend them in professionally working with us. They have
- 6 worked carefully and diligently, and we're really sorry
- 7 that we got to this position.
- 8 Potero Hills Landfill and Resource Recovery
- 9 Center is something you'll hear about again this fall. We
- 10 have a permit request in the process right now. There's a
- 11 full EIR under way to expand our landfill, to expand
- 12 recycling operation. And we really didn't want this
- 13 blemish to be on our record, this data error.
- 14 We have changed over our scale data program now.
- 15 We've gone through a pretty thorough training of our staff
- 16 on what the procedures are. We now know how important our
- 17 system is to the entire state. Out of 438 jurisdictions,
- 18 if we service 60 of those jurisdictions, we're 15 percent
- 19 of the state's jurisdictions. So we know out of 58
- 20 communities that we're serving in 16 counties that we have
- 21 quite a ripple effect if we have a mistake in our data.
- 22 So we hope that when we come back this fall as a landfill
- 23 permitted change, a composting permit change, that we can
- 24 give you a progress report that, hey, 2003 has been pretty
- 25 perfect as far as jurisdictional data and submittal.

1 That completes my presentation. If there's

- 2 questions I can answer --
- 3 CHAIRPERSON JONES: Any questions for Mr. Burch?
- 4 Thank you, Larry. Appreciate it.
- 5 So I'm sensing this was a report to the Board
- 6 just to give us an idea what's going on. And clearly
- 7 there's some extenuating circumstances with a transfer of
- 8 ownership. Hopefully, the 2002 data's not too bad because
- 9 that will be the biennial review year that we have to look
- 10 at.
- 11 So if there's no questions. I appreciate that
- 12 item. Thank you.
- 13 And then I did want to just quickly -- because
- 14 we've got to get going. The DRS has got some other
- 15 issues, and we probably need to have a discussion at some
- 16 point, if the members are willing. I had warned people of
- 17 a concern that I have where because of the allocation
- 18 wastes, some jurisdictions may determine a necessity to
- 19 really almost require a manifest for every can of garbage
- 20 that's picked up around a route to be filled out by the
- 21 driver to be delivered at every load, which is going to
- 22 back up folks trying to do their job, which is going to
- 23 maybe make for better accuracy, but for what purpose.
- 24 And I don't know that we have much flexibility
- 25 because jurisdictions have always been able to exceed our

1	requirement. But if it means that a normal 40-minute wait
2	to get into a site becomes a three- or four-hour wait to
3	get into a site, we're going to have a real problem.
4	We need to have some discussion with folks and
5	try to make sure that this does not end up blowing up that
6	component of AB 939. So if that's okay with the members
7	that we have that discussion at some point.
8	All right. Thank you, all.
9	This is the time for public comment if anybody
10	wants to address this committee.
11	Staff, appreciate it. Members, thank you. As
12	always, well-prepared. We moved through it.
13	And we're adjourned.
14	(Thereupon the California Integrated Waste
15	Management Board, Diversion, Planning and Local
16	Assistance Committee adjourned at 10:48 p.m.)
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1	CERTIFICATE OF REPORTER
2	I, TIFFANY C. KRAFT, a Certified Shorthand
3	Reporter of the State of California, and Registered
4	Professional Reporter, do hereby certify:
5	That I am a disinterested person herein; that the
6	foregoing hearing was reported in shorthand by me,
7	Tiffany C. Kraft, a Certified Shorthand Reporter of the
8	State of California, and thereafter transcribed into
9	typewriting.
10	I further certify that I am not of counsel or
11	attorney for any of the parties to said hearing nor in any
12	way interested in the outcome of said hearing.
13	IN WITNESS WHEREOF, I have hereunto set my hand
14	this 22nd day of April, 2003.
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22	
23	TIFFANY C. KRAFT, CSR, RPR
24	Certified Shorthand Reporter
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